

**JOINT SPECIAL MEETING OF CITY COUNCIL
AND CITY PLANING COMMISSION
TUESDAY, JANUARY 24, 2017
CITY HALL
22710 E. COUNTRY VISTA DRIVE
7:00 P.M.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. WORKSHOP DISCUSSION – Design Regulations and Land Use**
 - I-zone and C2 zone
 - Five-minute break
 - M2 zone
- 4. CITIZEN COMMENTS**
- 5. ADJOURNMENT**

G. R. Dohrn and Associates

Memorandum

Date: January 18, 2017

To: Mayor Peterson, City Council, and City Planning Commission

From: Gregg Dohrn, Amanda Tainio, and Katy Allen

Subject: Multi-Family Housing Discussions

On September 20, 2016 the City Council asked the Planning Commission to address several policy issues relating to multi-family housing. The Planning Commission met several times during the months of October, November, and December and received valuable input from representatives of several local developers including Jim Frank, Lancze Douglass, Jim Quigley, Frank Ide, and Doug Yost. They have completed their deliberations and we will be presenting their recommendations to the City Council for your review and discussion in a Joint Planning Commission/City Council meeting on Tuesday January 24th. Please note that these recommendations are not being presented for formal action, but rather so that we may receive direction from the City Council as to whether you would like us to include any or all of these recommendations with the proposed amendments to the City Development Regulations that we had identified last spring and that will be presented to the City Council this spring for formal review and approval.

The following is a brief summary of the questions that the Planning Commission addressed and the recommendations that will be presented at the joint meeting.

Question #1: Should the City Development Regulations be amended to be permit multi-family housing in the Commercial (C-1 and C-2) or Light Industrial (I) zoning districts in the City?

Currently multi-family development is not permitted in the C-1, C-2, or I zoning districts. Mr. Lancze Douglass has received approval to build an RV Park in the Light Industrial District (I) on property fronting Appleway Way, near the Central Business District Mixed Use District. As an alternative to building the approved RV Park, Mr. Douglass has expressed an interest in building a mixed-use, multi-family development on the site and adjoining property to the north, zoned Freeway Commercial (C-2). In order for Mr. Douglass to submit an application for this alternative development, the City's Development Regulations and Comprehensive Plan would need to be amended. The City staff presented several different amendment scenarios that would enable Mr. Douglass and others to submit applications for multi-family development in the C-1, C-2, and/or I district, and discussed the pros and cons of each approach with the Planning Commission. This is a somewhat of an unusual situation that will require some further explanation, but in general terms, the

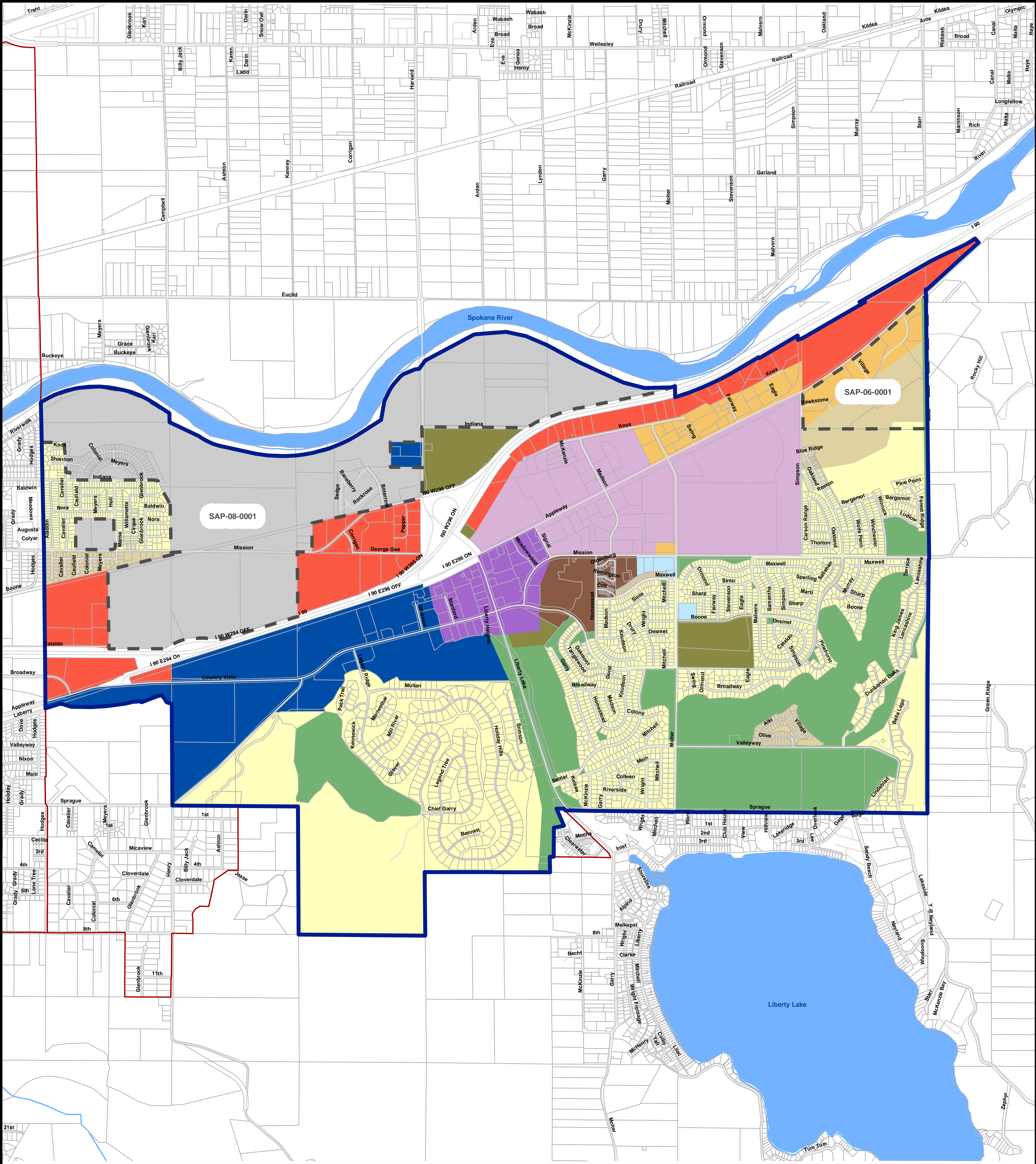
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Planning Commission has recommended that the Comprehensive Plan and Development Regulations be amended to allow the consideration of mixed-use, multi-family developments in the I and C-2 districts, south of I-90 and west of Madson Street, through a Planned Unit Development (PUD) review process. A copy of the proposed amendments to the Comprehensive Plan and Development Regulations necessary to implement this recommendation are attached, with the amendments highlighted in underline and strikeout format. If approved as written, these amendments would enable Mr. Douglass to submit an alternative development proposal to his approved RV Park that would include approximately 440 multi-family units in five story buildings, with commercial uses on the ground floor of buildings fronting streets, and an approximately 135 stall RV park on the adjoining property to the north, closest to I-90. The proposed amendments also include criteria for evaluating the alternative development as a Planned Unit Development.

Question #2: To what extent, if any, should the development regulations governing multi-family developments in the Community Center Mixed-Use District (M-2) be revised?

As a practical matter, the only significant amount of vacant land that is zoned to permit new multi-family development is located in the M-2 district located along Country Vista south of I-90 and west of Liberty Lake Road. This land is owned by two property owners, the Liberty Lake Land Company and the Centennial Real Estate Investments, a subsidiary of the Cowles Company, and all vacant parcels are currently for sale. The Planning Commission met with the owners of these properties and considered several potential revisions to the City's Development Regulations, such as requiring that all multi-family development be mixed use, or expanding the permitted uses in the M-2 district. The Planning Commission recommends that the City Development Regulations for multi-family not be amended at this time, and that the City continue to pursue funding for the Henry Road interchange and to work with the property owners in their ongoing efforts to market the property.

We look forward to the presentation and discussion of these recommendations at your joint meeting on January 24th and if you have any specific questions that you'd like us to address, please don't hesitate to let us know.



Due to map scale, some streets may not be labeled.

This map is for informational purposes only and is not a legal document.

Zoning Map

Amended Map Adopted -
December 19, 2006 (Updated 10/20/09)

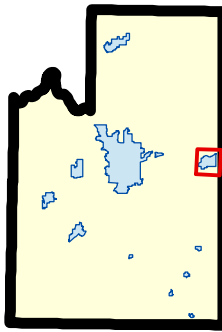
For information please contact
The City of Liberty Lake
Community Development Department
509-755-6708

Legend

- City of Liberty Lake
- UGA Boundary
- Parcels
- Streets
- Water Bodies
- SAP-08-0001
- SAP-06-0001
- R-1
- R-2

- R-3
- M-1
- M-2
- M-3
- C-1
- C-2
- I
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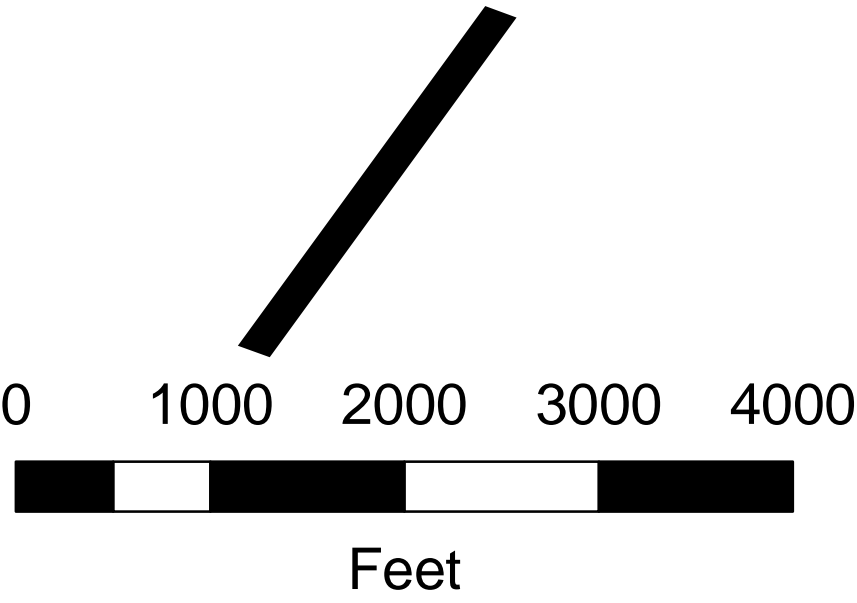
Map Location



Map area is contained within
T 25 N, R 45 E, W.M.



Zoning Map



I and C-2 ZONES

G. R. Dohrn and Associates

Memorandum

Date: December 2, 2016

To: Liberty Lake Planning Commission

From: Gregg Dohrn/Amanda Tainio

Subject: Multi-Family Housing

As a follow-up to your November 30, 2016 discussion regarding the Douglas proposal, Amanda and I have further revised the potential amendments to the Planned Unit Development (PUD) regulations (see attached). As you requested, we amended the PUD regulations to clarify that spaces for commercial and office uses need to be provided on the ground floor of multi-family buildings, which provides the option the space being used for parking if there is no market for the non-residential space. In addition, we have added a provision to the regulations governing the zoning map, that addresses the situation we discussed of a parcel having more than one zoning designation (see attached). The proposed amendment, which would be applicable city-wide provides that if a parcel contains more than one zoning designation, then the City may determine that the zoning designation associated with the largest portion, shall apply to the entire parcel. No further amendments were made to the attached Comprehensive Plan Land Use Chapter, multi-family housing is specifically referenced as permitted in the Light Industrial zone and transient housing such as an RV park is specifically referenced as being permitted Freeway Commercial (C-2) zone. The net effect of these revisions, if approved, would be that Mr. Douglas could submit a proposal for a mixed-use planned unit development with multi-family housing on the parcels zoned Industrial and an RV park on the parcels designated with C-2 zoning, but he could not submit a development proposal for mixed-use multi-family housing on the entire site (the 900-unit option) or a RV park on the entire site.

Based on your discussion, we will also amend the building height limitations in the C-1, C-2, I and P zones as follows:

<u>Zone</u>	<u>Height</u>	<u>Recommended Height</u>
R-1	35'	No Change
R-2	35'	No Change
R-3	35'	No Change
M-1	35'+10' (w vertical mixed-use)	No Change
M-2	50'+10' (w vertical mixed-use)	No Change
M-3	50'+10' (w vertical mixed-use)	No Change

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<u>Zone</u>	<u>Height</u>	<u>Recommended Height</u>
C-1	100' (40' adjacent to R-1)	70'/40'
C-2	100' (40' adjacent to R-1)	70'/40'
I	100' (40' adjacent to R-1)	70'/40'
P	100' (40' adjacent to R-1)	70'/40'
O	35'	No Change

Hopefully, these most recent revisions are consistent with your discussions. If they do, then a motion along the lines of the following would be appropriate in order for you to complete your deliberations on the first portion of your assignment from the City Council:

I move that Planning Commission recommend to the City Council that the Land Use Chapter of the Comprehensive Plan, the Planned Unit Development Regulations, the regulations governing the administration of the zoning map, and the building height limitations in the C-1, C-2, I and P zones be amended in substantially the same form as attached and that our recommendation be forwarded to the City Council for their consideration.

We hope this information is helpful, if you have any questions or would like to consider further amendments, please don't hesitate to let us know. We'll see you on December 14th!

**Liberty Lake Comprehensive Plan
Land Use Chapter
With Potential Amendments Highlighted
November 23, 2016**

A. Introduction

The Land Use Chapter sets the stage for a vibrant, sustainable, family-orientated community through the balanced allocation of land for housing, commerce, industry, recreation, transportation, open space, cultural resources, and other uses. It accommodates growth, while preserving the character of established neighborhoods and protecting them from intrusion of incompatible uses by using innovative land development concepts and techniques.

City of Liberty Lake Existing Land Area and Use

Existing Residential: Residential development within the city limits of Liberty Lake began back in the late 1970's with the start of the Liberty Lake Heights subdivision. Unlike developments that would soon follow, the Heights was not a Planned Unit Development (PUD), however the neighborhood did have covenants that governed the neighborhood. By 1987, full scale development had begun with the Homestead and Meadowwood subdivisions. By August 31, 2001, when the City officially incorporated, the majority of the City had PUD residential neighborhoods. Most of these neighborhoods were considered low to medium density residential units. Only a small portion of the residences within the City were high density residential. The majority of the residences within the City are located north of Sprague Avenue, south of Mission, and east of Liberty Lake Road, with Country Vista and Molter Road intersecting them. **Existing Commercial:** The City has numerous professional offices and retail businesses with more commercial developments planned and or under construction. Commercial land is found along Liberty Lake Road, Country Vista, Mission, Harvard Road, Knox Avenue, and Appleway. The highly intensive commercial use designations occur along Appleway, Liberty Lake Road, and Country Vista. The retail commercial development is mostly on a regional scale and consists of two anchored retail strip centers on Liberty Lake Road and two unanchored retail strip centers, one on the eastern end of Appleway and one on Mission at the north end of town. There are various freestanding retail, food service, auto dealerships, and hospitality operations in the vicinity of the retail strip centers. **Existing Industrial:** Industrial uses within the City are light industrial uses such as electronics, high tech, and assembly manufacturing. Several pieces of industrial land are being used for commercial uses. The industrial area is located north of Mission Avenue and south of Interstate 90. There are five major corridors located in the industrial area consisting of Madson, Appleway, Molter, Mission and Knox. **Existing Open Space and Recreation:** Since the majority of the area within the city limits began as a master planned satellite community, a large portion of the land has open space and recreational uses. Within the City, there are three golf courses and Pavilion Park, a large City park that is utilized for many community activities. Pavillion Park is located on the southwest corner of Country Vista and Molter Road within the residential area. Meadowwood Golf Course runs through the residential area and is north of Valleyway and east of Molter Road Liberty Lake Golf Course is the oldest course and it is located south of Valleyway, east of Molter Road, and north of Sprague Avenue with residences on eastern side. The City's Trailhead Golf Course, formerly known as ValleyView, is located at the eastern edge of Liberty

Lake Rd, south of Country Vista, and on the western edge of residences. The City contains a trail system and smaller neighborhood parks throughout as well as access to the Centennial Trail on our north side.

Future Land Use

The City of Liberty Lake is unique in that all residential areas of the City have been platted or have an approved special area plan to guide the nature and intensity of future development. As a result, it is possible to calculate the population of the City at build-out as approximately 16,000.

Planning Principles

The following planning principles, developed through citizen participation efforts, form the basis for development of the Land Use Chapter.

- Compact urban forms should be encouraged that create a greater sense of “community,” with pedestrian/bicycle-friendly settlement patterns. Neighborhood character should be preserved and protected.

- Jobs, housing, services and other activities should be within easy walking distance and shorter commute times of each other.

- The City of Liberty Lake should have a center focus that combines commercial, civic, cultural, and recreational uses.

Streets, pedestrian paths, and bike paths should contribute to a system of fully interconnected routes.

- The City of Liberty Lake should have a diversity of housing and job types that enable residents from a wide range of economic levels and age groups to work and reside within the City's boundaries.

B. History and Background

The City of Liberty Lake contains a mix of land uses including single and multi-family dwellings, recreational areas including parks, trails, and golf courses, light manufacturing, and mostly regional scaled commercial, including two large grocery stores. Professional office buildings, restaurants, schools, and churches are also found with undeveloped land still available and suitable for residential, commercial, and industrial growth.

At the initial startup of the City of Liberty Lake it was recommended to and approved by the City Council to adopt by reference the Spokane County Comprehensive Plan which pre-dated the Growth Management Act (GMA) and the Spokane County Zoning Code dated November 1998 to maintain the status quo until the City adopted its own Comprehensive Plan and Implementation Regulations. The City has since adopted its own Comprehensive Plan or Future Land Use Map and an Official Zoning Map. The Future Land Use Map features the following land use designations:

Comprehensive Land Use Categories

1. Residential Categories

a. Single-Family - The Single-Family designation provides for single-family homes in support of established residential neighborhoods. This designation is the primary residential designation in the city.

b. Mixed Residential - The Mixed Residential designation provides for a moderate increase in density using a variety of urban housing types and designs. This design oriented designation promotes residential renewal to small-lot single family homes, townhouses, duplexes, and small apartment buildings. The mix of housing may take a variety of forms, either mixed within a single site or mixed within a general area, with varied dwelling types. Developments within this designation should have a net density of no less than 6 units per acre.

c. Multi-Family - The Multi-Family designation provides for a variety of medium to high density housing types and designs. The designation incorporates a combination of urban design elements to enhance the living environment while integrating the housing into a neighborhood or neighborhood business district. Urban design elements such as private and public open space, pedestrian orientation and connections, and security are integrated into the housing to create a high standard of community cohesion and character. Developments within this designation should have a net density of no less than 12 units per acre.

2. Mixed-use Area – Mixed-use areas are intended to enhance service options, encourage development of locally serving commercial uses, offices, light manufacturing, civic, recreational, and residential uses along transportation corridors identified on the Comprehensive Land Use Plan Map 5.1. Mixed-use areas discourage low-intensity, auto-dependent uses and focus on a pedestrian orientation with an emphasis on aesthetics and design.

Mixed-use Categories Mixed-use areas include “centers” and “corridors.” Urban centers and corridors provide focus points to the design of urban areas. Urban centers distributed spatially throughout the urban area provide for retail sales, services, government and business offices, recreation facilities, higher-density residences, and other high-intensity uses to serve the needs of surrounding residential areas. The Comprehensive Plan provides for three types of mixed-use centers, Neighborhood, Community, and Central Business District. The three types of centers are distinguished by scale and intensity. Neighborhood Centers are the smallest and least intensive, Community Centers are higher intensity, and the Central Business District, which is the largest and most intensely developed.

The Central Business District provides for the widest range of uses. Mixed-use categories include the following:

a. Neighborhood Centers – Mixed-use centers for neighborhoods will ideally have identified neighborhood centers containing a civic green or park, a transit stop, neighborhood businesses and services, a day care center, and perhaps a church or school, and residential when associated with other permitted uses.

b. Community Centers - Community centers are higher-intensity mixed-use areas designed to serve two or more neighborhoods. Community centers may have a mix of uses, including commercial, civic, light

manufacturing or industrial, office, recreational uses, and residential when associated with the other permitted uses.

c. Central Business District - The CBD is the primary retail, office, social, urban residential, and government center of the city (Map 5.2). The complementary and interactive mixture of uses and urban design provides for a regional intensity and viability with a local character. The regional focus and vitality of the district are evident in the urban intensity and composition of the uses in the district. Local character is reflected in the district's design, people-orientation, and connectivity, which foster a sense of community. The CBD is intended to attract significant numbers of additional office and retail jobs as well as opportunities for new higher density housing.

3. Commercial Categories

a. Freeway Commercial - The Freeway Commercial classification designates intensive commercial areas intended to draw customers from outlying areas. Interstate 90 is an aesthetic corridor and specific guidelines will be established to enhance the aesthetics of the Interstate 90 frontages. Shopping centers and major commercial areas of regional significance will be designated with this classification.

Residential uses would typically not be allowed within the freeway commercial category, but transient housing may be permitted in mixed use, planned unit developments, south of I-90 and west of Madson Street, to support and complement the Central Business District and surrounding businesses. Light industrial areas may be allowed in this category.

b. Community Commercial - The Community Commercial classification designates areas for retail, service, and office establishments intended to serve several neighborhoods. Community business areas should be located as business clusters rather than arterial strip commercial development. Community business centers may be designated through the adoption of the Comprehensive Plan or Comprehensive Plan amendments. Residences in conjunction with business and/or multifamily developments may be allowed, with specific guidelines that ensure compatibility.

c. Neighborhood Commercial - The Neighborhood Commercial classification designates areas for small-scale, neighborhood-serving retail and office uses. Neighborhood business areas should be located as business clusters rather than arterial strip commercial development. Neighborhood business centers may be designated through the adoption of the Comprehensive Plan or Comprehensive Plan amendments

4. Industrial Category

a. Light Industrial - The Light Industry category is intended for industrial areas that have a special emphasis and attention given to aesthetics, landscaping, and internal and community compatibility. Light Industrial areas are comprised of predominantly industrial uses such as manufacturing and high technology-oriented businesses, but may incorporate office, ~~and~~ commercial, and mixed use planned unit developments ~~uses~~ that support and complement the industrial area. Multi-family housing may be permitted in mixed use, planned unit developments, west of Madson Street, to support and complement the Central Business District and surrounding businesses..

5. Public and Semi-Public Institutional Uses. The Public and Semi-Public Institutional land use designation provides for large and moderate scale governmental uses, special districts, and semi-institutional uses. The designation allows for the specialized needs of providing public services to the City of Liberty Lake.

6. Open Space and Recreation. The Open Space and Recreation designation provides for open area spaces and recreational uses such as public/ private parks, preserves, and trails, as well as public and privately owned facilities such as golf courses. Local and regional recreation opportunities are included within this designation. The designation promotes the conservation of public and private sensitive or critical natural resource areas and areas of local interest as open space.

7. Aesthetic Corridors and Boulevards. Aesthetic corridors and boulevards are intended to protect the visual appeal of the area along major transportation routes entering, exiting, and circulating through the City of Liberty Lake

Article 10-2A — Zoning District Administration

Sections:

10-2A-1	Classification of Zoning Districts
10-2A-2	Zoning Districts Map
10-2A-3	Determination of Zoning District Boundaries
10-2A-4	Zoning Districts Matrix
10-2A-5	Zoning Districts Map Exhibit

10-2A-1 Classification of Zoning Districts

All areas within the City limits of the City of Liberty Lake are divided into zoning districts. The use of each lot, parcel, and tract of land is limited to the uses permitted by the applicable zoning district (see matrix in Section 10-2A-4). The applicable zoning district shall be determined based on the Zoning District Map, and the provisions of this Article.

10-2A-2 Zoning Districts Map

A. Consistency with zoning district map. The boundaries of each of the zoning districts contained within this article shall coincide with the zoning district boundaries identified on the City's official zoning map, retained by the Planning & Community Development Department. Said map by this reference is made a part of this Development Code. A certified print of the adopted zoning district map, and any map amendments, shall be maintained by the City.

B. Applicability of zoning requirements. Each lot, tract, and parcel of land or portion thereof within the zoning district boundaries as designated and marked on the zoning map, is classified, zoned, and limited to the uses as hereinafter specified and defined for the applicable district classification.

C. Split Zoning. In the event that a parcel contains more than one zoning district, the City may, at the request of the property owner, make an administrative code interpretation that the zoning designation associated with the largest portion of the parcel, shall apply to the entire parcel.

D. Zoning district map amendments. All amendments to the City zoning district (zoning map) shall be made in accordance with the provisions of Article 10-4J.

1. Copies of all map amendments shall be dated with the effective date of the ordinance adopting the map amendment, and shall be maintained without change, together with the adopting documents, on file at the City; and
2. The City shall make available for public inspection an up-to-date copy of the revised zoning district map, so that it accurately portrays changes of zone boundaries or classification, as applicable.

Article 10-4E — Planned Unit Developments

Sections:

10-4E-1	Purpose
10-4E-2	Applicability
10-4E-3	Review and Approvals Process
10-4E-4	Allowed Uses
10-4E-5	Applicability of Zoning District Standards (Chapter 2)
10-4E-6	Applicability of Design Standards (Chapter 3)
10-4E-7	Preliminary PUD Submission Requirements
10-4E-8	Preliminary PUD Approval Criteria
10-4E-9	Administrative Procedures
10-4E-10	Final PUD Approval Criteria

10-4E-1 Purpose

A. Purpose. The purpose of this article is to implement the goals and policies of the City of Liberty Lake Comprehensive Plan by promoting creativity in site layout and design, allowing flexibility in the application of the standards for residential and mixed use development in order to protect and enhance environmental features, encouraging the development of affordable housing, and providing other public benefits. This article provides performance criteria to encourage flexibility in the choice of the types of living units available to the public through the planned unit development (PUD) process. More specifically, it is the purpose of this article to:

1. Encourage innovative planning that results in more mixed use development, improved protection of open spaces, and greater housing and transportation options;
2. Encourage developments that recognize the relationship between buildings, their use, open space, and transportation options, providing varied opportunities for innovative and diversified living environments;
3. Facilitate the efficient use of land;
4. Promote an economic arrangement of land use, buildings, circulation systems, open space, and utilities;
5. Preserve to the greatest extent possible the existing landscape features and amenities, that may not otherwise be protected through conventional development;
6. Encourage energy conservation and improved air and water quality.

10-4E-2 Applicability

The planned unit development (PUD) designation is an overlay which may be applied over the City's zoning districts, as identified in the adopted zoning matrix. Existing subdivisions and lots of record on which no development has yet occurred or where adequate vacant land exists within an existing development to meet the standards and criteria of this article are eligible for PUD approval as changes of condition to the original plat, short plat, or BSP and would be processed in the same manner as a new land division application. An applicant may elect to develop a project as a PUD in compliance with the requirements of this article.

10-4E-3 Review and Approvals Process

A. Review Steps. There are three required steps to potential PUD approval:

1. Submittal of required PUD exhibits or information, concurrent with requirements for plats, short plats, or BSP's (see Article 10-4D above), [as applicable](#).
2. Adherence to the project permit processing steps in Article 10-4B; and
3. The approval of preliminary subdivision plat(s), short subdivision plats, or binding site plans accompanied by PUD overlay, [as applicable](#).

B. Approval Process.

1. The Subdivision Plat, Short Subdivision Plat, or Binding Site Plan, as applicable, and the Planned Unit Development (PUD) overlay shall be reviewed together, [if applicable. -using t](#)he Type III procedure in Article 10-4B, the submission requirements in Section 10-4E-7, and the approval criteria in Section 10-4E-8 [shall be utilized for review of a preliminary Planned Unit Development](#).
2. The project shall either be approved, approved with modifications/conditions, or denied.

10-4E-4 Allowed Uses

A. In the Residential Zoning Districts. In the residential zones, the following uses are allowed when they are included in an approved PUD:

1. All uses allowed in the underlying zoning district (Chapter 2);
2. Recreational vehicle storage area for use by PUD residents with appropriate landscape screening.
3. The City may approve any use that the Comprehensive Plan specifically states is appropriate in the area that includes the subject property and limited or conditional use requirements may be modified if the modification is to meet the purpose of a PUD.

B. In Other Zoning Districts. In the other zoning districts where PUD's are permitted, the following uses are allowed when they are included in an approved PUD:

1. All uses allowed in the underlying zoning district (Chapter 2);
2. The City may approve any use that the Comprehensive Plan specifically states is appropriate in the area that includes the subject property and limited or conditional use requirements may be modified if the modification is to meet the purpose of a PUD.

10-4E-5 Code Provision Modifications

A. The City may utilize a PUD Overlay to modify any of the provisions of the code if it can be demonstrated that it furthers the goals and policies of the Comprehensive Plan and meets the purpose of a PUD except the following:

1. The City may not modify any of the provisions of this Article; and
2. The City may not modify any provision of this code that specifically states that its requirements are not subject to modifications under a PUD; and
3. The City may not modify any of the procedural provisions of this code; and
4. The City may not modify any provision pertaining to the installation and maintenance of storm water retention/detention facilities; and
5. The City may not modify any provision pertaining to the installation of public improvements; and
6. The City may not modify any provision regulating signs; and
7. The City may not modify any provision that would be detrimental to the public health, safety, or welfare.

B. Other Provisions of the City Municipal Code. All other provisions of the City Municipal Code shall apply, except as modified by this article.

C. More than one overlay. When more than one overlay applies to the development (i.e. Specific Area Plan Overlay Zone and a PUD), and standards conflict between the overlays, the more restrictive standards shall apply (i.e., those which afford the greatest protection to identified resources and amenities, compatibility between land uses, etc.), as determined by the Director/designee.

10-4E-6 Density Bonus

Density Bonus. The housing density standards shall be determined based on the densities in Chapter 2. When allowed by the Comprehensive Plan, the City may authorize a density bonus above the density allowed by Chapter 2, as an incentive to increase or enhance open space, protect critical areas, provide unique architectural character, and or accomplish other purposes of the zone. The density bonus shall not result in the allowable density exceeding 10 percent of the allowable density in Chapter 2.

10-4E-7 Preliminary PUD Submission Requirements

A. General submission requirements. The applicant shall submit an application containing all of the general information required for a Type III procedure, as governed by Article 10-4B and for a plat, short plat, or BSP, as governed by Article 10-4D, as applicable. In addition, the applicant shall submit the following on forms approved and provided by P&CD:

1. A statement of planning objectives to be achieved by the planned unit development through the particular approach proposed by the applicant. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant.
2. A development schedule indicating the approximate dates when construction of the PUD and its various phases are expected to be initiated and completed.
3. A statement of the applicant's intentions with regard to the future selling or leasing of

all or portions of the PUD.

4. Narrative report or letter documenting compliance with the applicable approval criteria contained in Section 10-4E-8.
5. Special studies prepared by qualified professionals may be required by the P&CD Director to determine potential traffic, geologic, noise, environmental, natural resource and other impacts, and required mitigation.

B. Additional information. In addition to the general information described in Subsection “A” above, and the requirements of Articles 10-4B and 10-4D, the application shall include the following, as applicable:

1. Conceptual site plan - may be combined with other required maps or plans outlined in Article 10-4D provided that the general land use, building envelopes, circulation, open space, utility connections, and other information necessary to convey the PUD concept are included;
2. Grading concept (for hillside or sloping properties, or where extensive grading is anticipated); and
3. Sign concept (e.g., locations, general size, style, and materials of signs).

10-4E-8 Preliminary PUD Approval Criteria

The City shall make findings that all of the following criteria are satisfied when approving or approving with conditions, the PUD overlay. The City shall make findings that all of the criteria are not satisfied when denying an application:

A. Comprehensive Plan. All relevant provisions of the Comprehensive Plan shall be met;

B. Compliance with this Article. All PUD proposals shall comply with the provisions of this Article (10-4E)

C. Land Division Article. All of the requirements for land divisions, as applicable, shall be met (Article 10-4D);

D. Code Provision Modification Principles. The [allowed uses permitted under Section 10-4E-4](#), the code provision modifications permitted under Section 10-4E-5, and the density bonus permitted under Section 10-4E-6 shall be based on the following principles:

1. The criteria below shall be used in granting modifications to the code provisions through a PUD proportional to the requested modification(s).

The applicant is providing one or more of the following benefits to the City as part of the proposed PUD:

- a. The applicant is providing public facilities that could not be required by the City for development of the subject property without a PUD.
- b. The proposed PUD will preserve, enhance or rehabilitate natural features of the subject property such as significant woodlands, wildlife habitats or streams that the City could not require the applicant to preserve, enhance or rehabilitate through development of the subject property without a PUD.

- c. The design of the PUD incorporates active or passive solar energy systems.
- d. The design of the proposed PUD is superior in one or more of the following ways to the design that would result from development of the subject property without a PUD:
 - 1. Increased provision of public/common open space, streetscape, pedestrian, or recreational facilities, or preservation of views.
 - 2. Superior circulation patterns, [structured parking](#), or location or screening of parking facilities.
 - 3. Superior landscaping, buffering, or screening in or around the proposed PUD, [as well as green roofs](#).
 - 4. Superior architectural design, placement, relationship, or orientation of structure, [as well as LEED or Built Green Certifications; LEED Homes; LEED Neighborhood; Built Green Single-Family Homes; Built Green Multi-Family; or built Green Community](#).
 - 5. Minimum use of impervious surfacing materials.
 - 6. [Superior public art which incorporates seating \(e.g. fountain, sculpture, etc.\)](#).
 - 7. [Superior public transit amenities, such as a bus shelter or pullout, in accordance with the City's Transportation Plan and guidelines established by the Spokane Transit Authority](#).
 - 8. Other ways that further the goals and policies of the Comprehensive Plan and meets the purpose of a PUD, as determined by the Director/designee.
 - 9. [Superior provision of mixed uses that exceed the basic code requirements](#).
- e. The PUD incorporates workforce or specialty housing. Any PUD which proposes workforce or specialty housing shall be reviewed for its proximity to existing or planned services (i.e., shopping centers, medical centers, churches, parks, entertainment, senior centers, public transit, etc.). Housing prices and/or rents shall be controlled at these levels through Covenants, Conditions, and Restrictions (CCR) or similar instrument for a minimum of 10 years.

- 2. Any adverse impacts or undesirable effects of the proposed PUD are clearly outweighed by specifically identified benefits to the residents of the City.

E. Requirements for Common Open Space. Where common open space is designated, the following standards apply:

- 1. The open space area shall be shown on the final plan and recorded with the final plat or separate instrument; and
- 2. The open space shall be conveyed in accordance with one of the following methods:
 - a. By dedication to the City as publicly-owned and maintained open space. Open space proposed for dedication to the City must be acceptable to the P&CD Director with regard to the size, shape, location, improvement, environmental condition (i.e., the applicant may be required to provide a Level One

- Environmental Assessment), and budgetary and maintenance abilities;
- b. By leasing or conveying title (including beneficial ownership) to a corporation, home association, or other legal entity, with the City retaining the development rights to the property. The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) acceptable to the City.

F. Requirements for Mixed Use Developments. All buildings fronting streets in a mixed use development shall contain areas for commercial and/or office uses on the ground floor and may contain covered parking. All residential uses shall be above the ground floor.

1. This mixed use requirement may not apply when the City determines that topography precludes access to the street.

10-4E-9 Administrative Procedures

A. Time limit on filing of final plats, short plats, and BSP's. The time limits outlined in Article 10-4D above for filing of final plats, short plats, and BSP's shall be followed.

B. Extension. Granting of extensions for PUD proposals shall be as outlined in Section 10-4D-3 Modifications and Extensions, for extensions on final plats, short plats, and Section 10-4D-13 for BSP's.

10-4E-10 Final PUD Approval Criteria

The City shall process final PUD's concurrent with the final plat, short plat, ~~or~~ BSP, or building permit for the project, as applicable, -and the process shall be as outlined in Article 10-4D above, specifically Section 10-4D-7, Submissions and Approval Criteria: Final Plat and Short Plat and Section 10-4D-13 for BSP's. Final PUD's shall meet all conditions of approval and other requirements of the preliminary PUD.



E Indiana Ave

N Harvard Rd

N Harvard Rd

N Liberty Lake Rd

N Liberty Lake Rd

90

90

N McKenzie Ln

N Madison Rd

E A

N Signal Rd

N Meadowood Ln

E Mission Ave

M-2 ZONE

- f. The ADU shall have a pitched roof with a minimum slope of 4 and 12.
- g. When measured from ground level, the ridge of the ADU's pitched roof shall not exceed 24 feet or the height of the principal unit, whichever is less.
- h. Detached ADU's shall not be allowed on lots that are less than 8,000 square feet in size.
- i. The ADU shall be designed in a manner so that the appearance of the lot remains that of a single-family residential lot. The detached ADU shall be unobtrusive in appearance when viewed from the front of the lot. A minimum 6 foot sight-obscuring fence shall be required to buffer a detached ADU from adjacent lots, unless waived in acknowledged writing by abutting property owners.
- j. The principal unit or ADU shall be owner-occupied.
- k. Home occupations will be allowed within the detached accessory dwelling unit.

22. Dwelling, multi-family

Multi-family dwellings should be part of a mixed use development (residential with commercial or other use). Both "vertical" mixed use (housing above the ground floor), and "horizontal" mixed use (housing on the ground floor) developments are allowed. Individual apartments above or within businesses shall meet the requirements for Attached Accessory Dwelling Units listed above. Projects that propose 50 multi-family dwelling units or more shall provide an equivalent square footage of non-residential uses within the permit application. Stand-alone multi-family dwellings that do not incorporate vertical or horizontal mixed use are subject to the standards in a-g below.

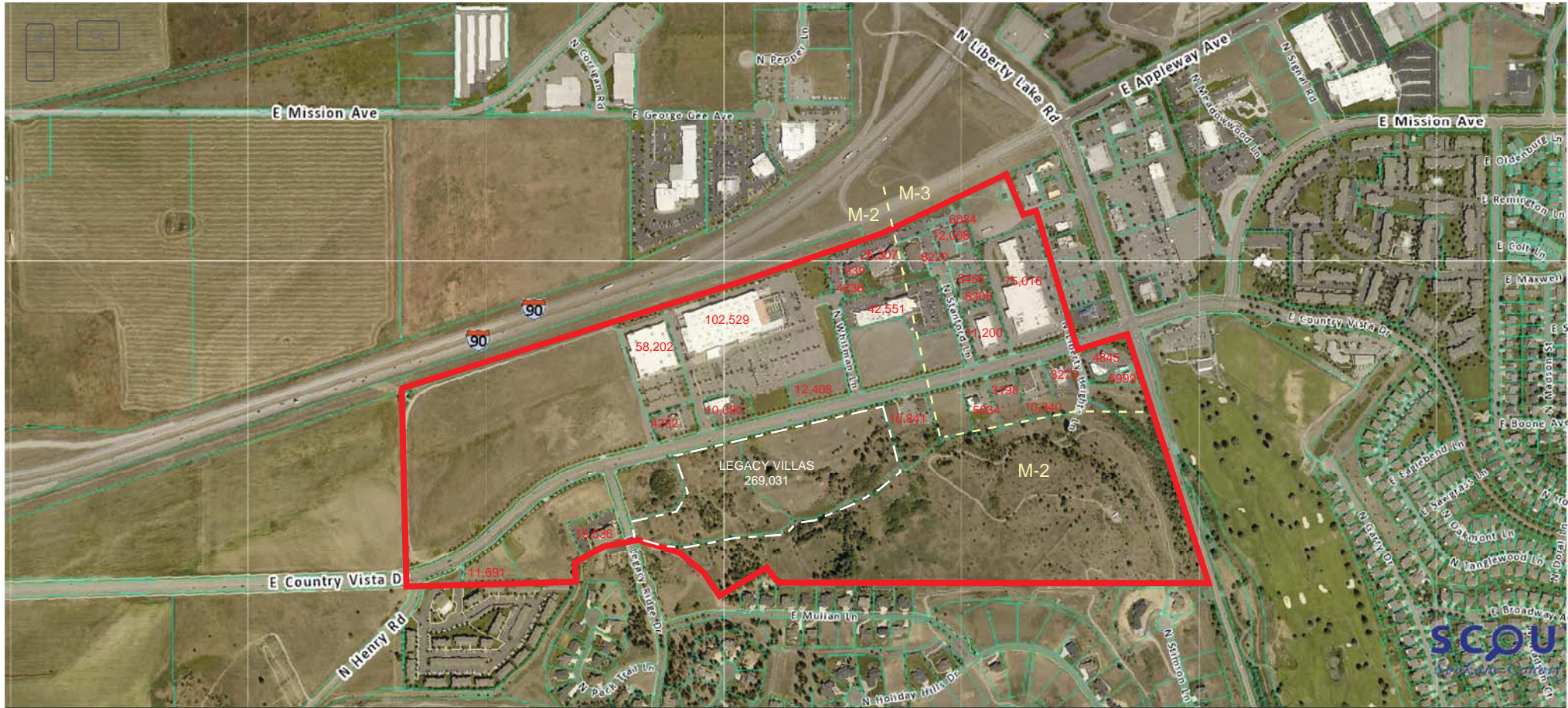
- a. Multi-family dwellings shall comply with Article 10-3B - Access and Circulation.
- b. Parking, garages, and driveways. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.
- c. Common areas. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors shall be maintained by a homeowners association or other legal entity. Copies of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.
- d. Common open space. Inclusive of required setback yards, a minimum of 20 percent of the site area shall be designated and permanently reserved as usable common open space in multi-family dwellings with 4 or more units. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Critical areas and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.
- e. Private open space. Private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, trash receptacles, parking, and drives to the greatest extent practicable;
- f. Private open space ground floor units. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);
- g. Private open space upper-floor units. A minimum of 75 percent of all upper-

floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.

23. Dwelling, multi-family (greater than 30 units per net acre)

The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; ensure management and maintenance of common areas, and provide for public transportation options. Multi-family dwellings should be part of a mixed use development (residential with commercial or other use). Projects that propose 50 multi-family dwelling units or more shall provide an equivalent square footage of non-residential uses within the permit application. Both “vertical” mixed use (housing above the ground floor), and “horizontal” mixed use (housing on the ground floor) developments are allowed, subject to the standards in a-h.

- a. Multi-family dwellings shall comply with Article 10-3B - Access and Circulation.
- b. Parking, garages, and driveways. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.
- c. Common areas. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors shall be maintained by a homeowners association or other legal entity. Copies of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.
- d. Common open space. Inclusive of required setback yards, a minimum of 20 percent of the site area shall be designated and permanently reserved as usable common open space in multi-family dwellings with 4 or more units. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Critical areas and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.
- e. Private open space. Private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, trash receptacles, parking, and drives to the greatest extent practicable;
- f. Private open space ground floor units. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);
- g. Private open space upper-floor units. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.
- h. Public transit. All multi-family dwellings greater than 30 units per net acre shall only be located along a public transit route and transit amenities such as bus shelters or pullouts, in accordance with the City’s Transportation Plan and guidelines established by Spokane Transit Authority (STA) shall be provided for use by residents.



LIBERTY LAKE CORPORATE PARK - BSP 50-96

JANUARY 10, 2017

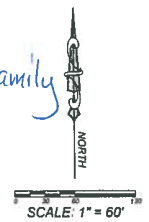
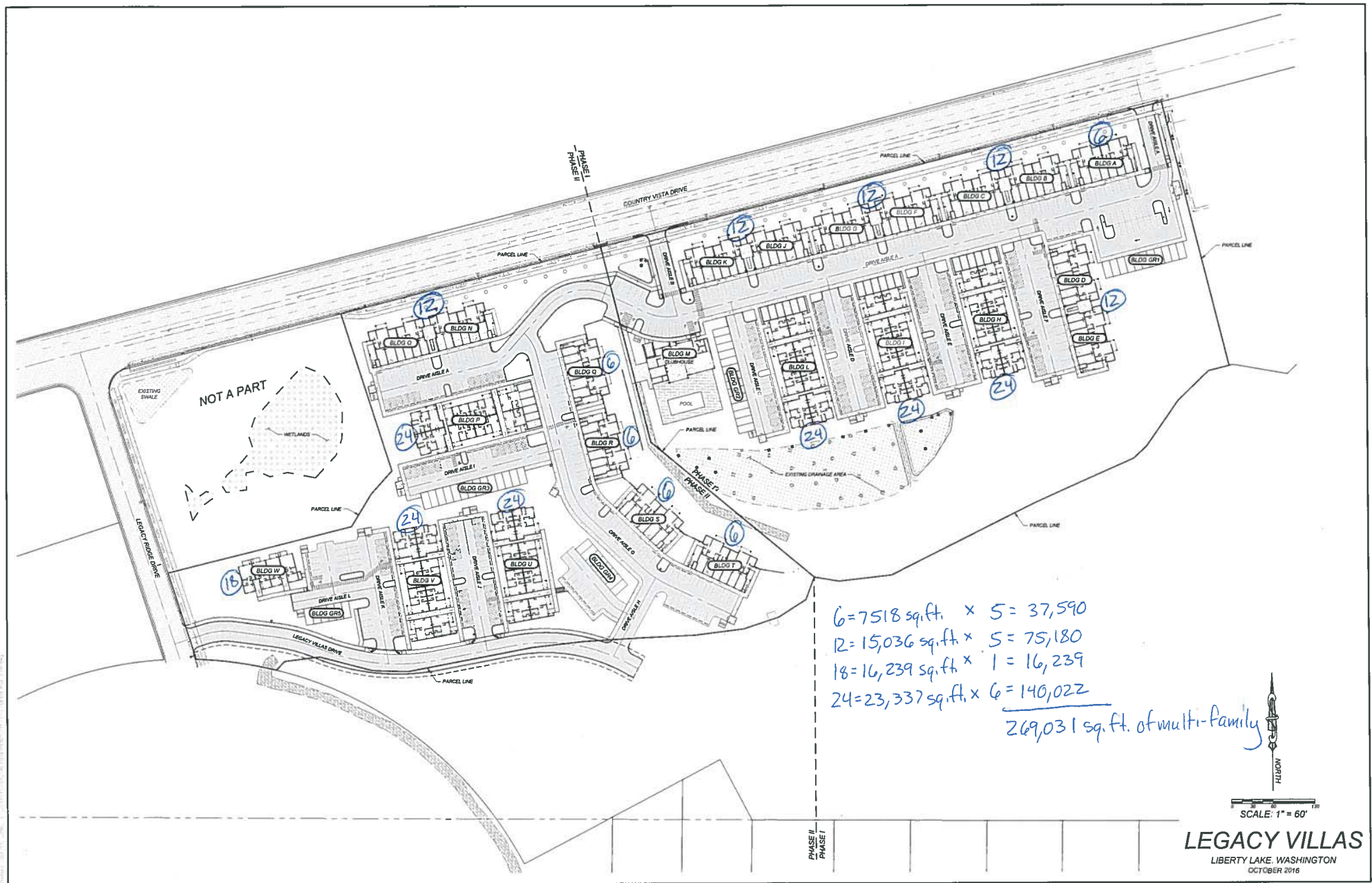
M-2 ZONE = 314,602 SQ. FT. OF EXISTING & APPROVED / SUBMITTED NON-RESIDENTIAL (CV RETAIL & FIRE STATION)

269,031 SQ. FT. OF APPROVED STAND-ALONE 50+ UNIT MULTI-FAMILY (LEGACY VILLAS PH. 1 & 2)

45,571 SQ. FT. AVAILABLE FOR STAND-ALONE 50+ UNIT MULTI-FAMILY (50/50 RATIO UNDER CURRENT DEVEL. CODE)

M-3 ZONE = 154,678 SQ. FT. OF EXISTING NON-RESIDENTIAL

M-3 DOES NOT HAVE A 50/50 RATIO UNDER THE CURRENT DEVELOPMENT CODE. M-3 LAND IS INCLUDED IN THE LIBERTY LAKE CORPORATE PARK BOUNDARY



LEGACY VILLAS
 LIBERTY LAKE, WASHINGTON
 OCTOBER 2016

- f. The ADU shall have a pitched roof with a minimum slope of 4 and 12.
- g. When measured from ground level, the ridge of the ADU's pitched roof shall not exceed 24 feet or the height of the principal unit, whichever is less.
- h. Detached ADU's shall not be allowed on lots that are less than 8,000 square feet in size.
- i. The ADU shall be designed in a manner so that the appearance of the lot remains that of a single-family residential lot. The detached ADU shall be unobtrusive in appearance when viewed from the front of the lot. A minimum 6 foot sight-obscuring fence shall be required to buffer a detached ADU from adjacent lots, unless waived in acknowledged writing by abutting property owners.
- j. The principal unit or ADU shall be owner-occupied.
- k. Home occupations will be allowed within the detached accessory dwelling unit.

M-2 ZONE

22. Dwelling, multi-family

Multi-family dwellings should be part of a mixed use development (residential with commercial or other use). Both "vertical" mixed use (housing above the ground floor), and "horizontal" mixed use (housing on the ground floor) developments are allowed. Individual apartments above or within businesses shall meet the requirements for Attached Accessory Dwelling Units listed above. Projects that propose 50 multi-family dwelling units or more shall provide an equivalent square footage of non-residential uses within the permit application. Stand-alone multi-family dwellings that do not incorporate vertical or horizontal mixed use are subject to the standards in a-g below.

- a. Multi-family dwellings shall comply with Article 10-3B - Access and Circulation.
- b. Parking, garages, and driveways. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.
- c. Common areas. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors shall be maintained by a homeowners association or other legal entity. Copies of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.
- d. Common open space. Inclusive of required setback yards, a minimum of 20 percent of the site area shall be designated and permanently reserved as usable common open space in multi-family dwellings with 4 or more units. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Critical areas and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.
- e. Private open space. Private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, trash receptacles, parking, and drives to the greatest extent practicable;
- f. Private open space ground floor units. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);
- g. Private open space upper-floor units. A minimum of 75 percent of all upper-

floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.

23. Dwelling, multi-family (greater than 30 units per net acre)

The following standards are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; ensure management and maintenance of common areas, and provide for public transportation options. Multi-family dwellings should be part of a mixed use development (residential with commercial or other use). Projects that propose 50 multi-family dwelling units or more shall provide an equivalent square footage of non-residential uses within the permit application. Both “vertical” mixed use (housing above the ground floor), and “horizontal” mixed use (housing on the ground floor) developments are allowed, subject to the standards in a-h.

- a. Multi-family dwellings shall comply with Article 10-3B - Access and Circulation.
- b. Parking, garages, and driveways. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.
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- d. Common open space. Inclusive of required setback yards, a minimum of 20 percent of the site area shall be designated and permanently reserved as usable common open space in multi-family dwellings with 4 or more units. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Critical areas and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.
- e. Private open space. Private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, trash receptacles, parking, and drives to the greatest extent practicable;
- f. Private open space ground floor units. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);
- g. Private open space upper-floor units. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.
- h. Public transit. All multi-family dwellings greater than 30 units per net acre shall only be located along a public transit route and transit amenities such as bus shelters or pullouts, in accordance with the City’s Transportation Plan and guidelines established by Spokane Transit Authority (STA) shall be provided for use by residents.

- floor area, above grade, nor more than 900 square feet, whichever is less. Within mixed use buildings, one or more dwelling units shall not comprise more than fifty percent (50%) of the total gross floor area of any building.
- d. The ADU shall not have more than 2 bedrooms.
 - e. A maximum of one ADU is allowed per lot. An attached ADU shall not be allowed on lots containing a detached ADU, duplex, or multi-family dwelling. Within mixed use buildings, one or more dwelling units shall be allowed only in a building or structure with commercial / retail or business / office use on the entire ground floor.
 - f. An ADU shall not be permitted if the principal unit or mixed use building is less than 1,200 square feet.
 - g. The ADU shall be designed in a manner so that the appearance of the principal unit remains that of a single-family residence or mixed use building. The ADU and its entrance shall be located in such a manner as to be unobtrusive in appearance when viewed from the front of the lot.
 - h. The principal unit or ADU shall be owner-occupied, not applicable for mixed use buildings.
 - i. Common open space dedicated for the use of the residents of the dwelling units shall be provided at two hundred (200) square feet per unit for the first twelve (12) units with an additional one hundred (100) square feet per unit for greater than twelve (12) units up to a maximum of five thousand (5,000) square feet. Minimum for any dimension of dedicated, common open space shall be ten (10) feet.

19. Accessory dwelling unit, detached

- a. One off-street parking space shall be required for the ADU, in addition to the off-street parking required for the principal unit.
- b. The ADU shall be a complete, separate housekeeping unit, that meets the building code requirements for floor area and room sizes.
- c. The ADU shall not be more than 35% of the principal unit's total livable floor area, above grade, nor more than 900 square feet, whichever is less.
- d. The ADU shall not have more than 2 bedrooms.
- e. A maximum of one ADU is allowed per lot. A detached ADU shall not be allowed on lots containing an attached ADU, duplex, or multi-family dwelling unit.
- f. The ADU shall have a pitched roof with a minimum slope of 4 and 12.
- g. When measured from ground level, the ridge of the ADU's pitched roof shall not exceed 24 feet or the height of the principal unit, whichever is less.
- h. Detached ADU's shall not be allowed on lots that are less than 8,000 square feet in size.
- i. The ADU shall be designed in a manner so that the appearance of the lot remains that of a single-family residential lot. The detached ADU shall be unobtrusive in appearance when viewed from the front of the lot. A minimum 6 foot sight-obscuring fence shall be required to buffer a detached ADU from adjacent lots, unless waived in acknowledged writing by abutting property owners.
- j. The principal unit or ADU shall be owner-occupied.
- k. Home occupations will be allowed within the detached accessory dwelling unit.

M-3 ZONE

20. Dwelling, multi-family

Multi-family dwellings should be part of a mixed use development (residential with commercial or other use). Both "vertical" mixed use (housing above the ground floor), and "horizontal" mixed use (housing on the ground floor) developments are allowed. Individual apartments above or within businesses shall meet the requirements for Attached Accessory Dwelling Units listed above. Stand-alone multi-family dwellings that do not incorporate vertical or horizontal

mixed use are subject to the standards in a-g below.

- a. Multi-family dwellings shall comply with Article 10-3B - Access and Circulation.
- b. Parking, garages, and driveways. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.
- c. Common areas. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.) and building exteriors shall be maintained by a homeowners association or other legal entity. Copies of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.
- d. Common open space. Inclusive of required setback yards, a minimum of 20 percent of the site area shall be designated and permanently reserved as usable common open space in multi-family dwellings with 4 or more units. The site area is defined as the lot or parcel on which the development is planned, after subtracting any required dedication of street right-of-way and other land for public purposes (e.g., public park or school grounds, etc.). Critical areas and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.
- e. Private open space. Private open space areas shall be oriented toward common open space areas and away from adjacent single family residences, trash receptacles, parking, and drives to the greatest extent practicable;
- f. Private open space ground floor units. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping);
- g. Private open space upper-floor units. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.

21. Dwelling, single family attached townhomes

Single family attached townhomes should be part of a mixed use development (residential with commercial or other use). Both “vertical” mixed use (housing above the ground floor), and “horizontal” mixed use (housing on the ground floor) developments are allowed, subject to the standards in a-h.

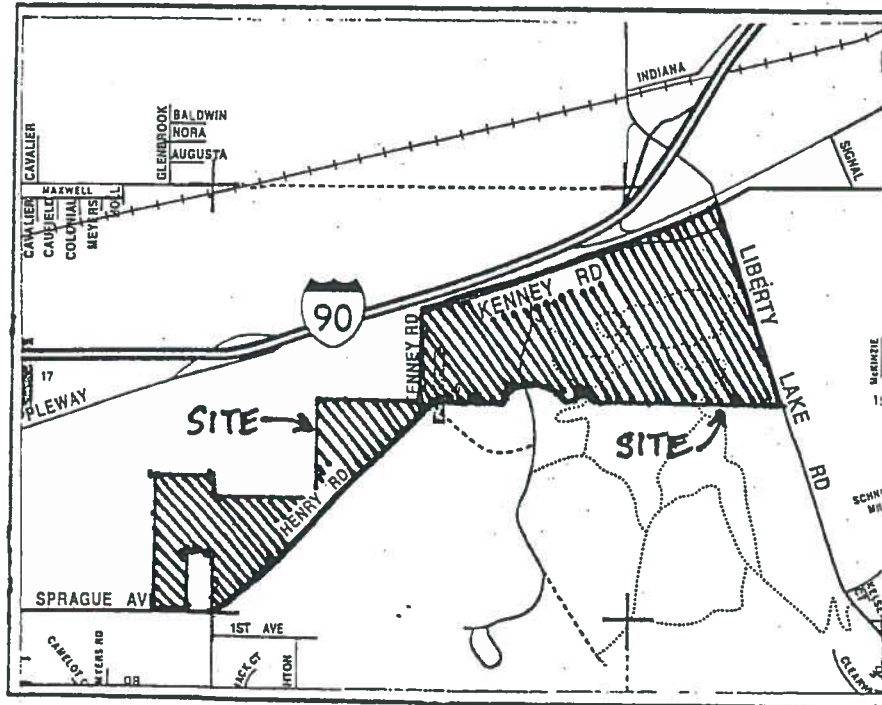
- a. As necessary, the City shall require dedication of right-of-way or easements and construction of pathways between townhome lots (e.g., between building breaks) to implement the standards in Article 10-3B - Access and Circulation.
- b. All off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.
- c. The maximum allowable driveway width facing the street is 24 feet per dwelling unit. The maximum combined garage width per unit is 50 percent of

PRELIMINARY BINDING OF HIGHLANDS

APRIL 1996

2). AS SHOWN
THE COMPREHENSIVE PLAN)

VICINITY MAP



44' PUBLIC
TO BE CONS
ONLY IF NEC
(40' ASPHAL

COMMUNITY BUSINESS (B-3)

NEEDED FOR ACCESS ① ③
NEEDED FOR ACCESS ①
FROM ④ OR 35' FROM R.O.W.
E
EET

FEET

PER CH. 14.802
PER CH. 14.804
PER CH. 14.806
PER CH. 14.628.355
PER CH. 14.628.360
PER CH. 14.628.665
PER CH. 14.628.380

INTERSTATE 90

LOCATED 90' RAILROAD RIGHT-OF-W

33
1.5 A

LEGACY VILLAS APARTMENTS STAFF REPORT

<p>Article 10-6E Environmental Conservation</p>	<p>The subject site was planned for development. The applicant has not expressed interest in transfer of development rights and the subject site would likely not qualify for TDR or Conservation Futures</p>	<p>10-6E-1 Transfer of Development Rights</p> <p>A. <u>Purpose.</u> The purpose of this section is to implement the comprehensive plan and encourage the protection of open spaces through Transfer of Development Rights. Transfer of Development Rights (TDR) allows individuals to purchase and sell residential development rights from lands that provide a public benefit. Such lands include forest, open space, regional trails, and habitat for threatened or endangered species. Landowners receive financial compensation without developing or selling their land and the public receives permanent preservation of the land. Transferred development rights can be used to build additional houses on other parcels in more appropriate areas within the City. The program reduces the development potential in the "sending area" and transfers that development opportunity to a "receiving area". The sending area property owner is paid to keep the land undeveloped, while the receiving area property buys the credit, allowing additional development beyond what zoning allows in the receiving area. The Transfer of Development Rights (TDR) Program should be implemented on a regional basis with participation from Spokane County.</p> <p>B. <u>Determination of Number of Development Rights.</u> The zoning of a parcel and its size are used to calculate the number of development rights that are attached to a parcel. The acreage that can be used to determine the number of development rights is the area of the parcel minus the amount in submerged lands and any land being retained for development on site, based on the zoning requirements. The number of development rights that a particular parcel qualifies for will depend on the specifics of the situation and would be determined on a case by case basis during the qualification process.</p> <p>C. <u>Transfer Authorized.</u> Allowed development rights may be transferred from one portion of a property to another portion of the same property, or from one property to another property. A transfer of development rights shall not be approved unless it meets one or more of the criteria in 1-4 below, and it conforms to subsections D-E:</p> <ol style="list-style-type: none"> 1. Protection of critical areas either by dedication to the public or a land trust, or by a non-revocable conservation easement; or 2. Dedication of land to the public for park or recreational purposes; or 3. The density transfer is used to develop a mix of single family and multi-family housing on the same property or development site. <p>D. <u>Prohibited Transfers.</u> Development rights shall not be transferred from: land proposed for street right-of-way, stormwater detention facilities, private streets, and similar areas which do not provide open space or recreational values to the public.</p> <p>E. <u>Transfer Rules.</u> All density transfers shall conform to all of the following rules:</p> <ol style="list-style-type: none"> 1. Allowed housing units shall be transferred only to buildable lands ("receiving areas"). The number of allowed housing units shall be reduced on properties from which density is transferred ("sending areas") based on the number of housing units transferred. The new number of housing units allowed on the sending area shall be recorded on a deed for the property that runs with the land. The deed shall state that the number of allowed housing units is subject to review and approval by the City, in accordance with current zoning and development codes; 2. The number of units which can be transferred is limited to the number of units which would have been allowed on 50 percent of the unbuildable area if not for these regulations; and 3. The total number of housing units per property or development site shall not exceed 100 percent of the maximum number of units per net acre permitted under the applicable comprehensive plan designation. 4. All density transfer development proposals shall comply with the development standards of the applicable zoning district. <p>10-6E-2 Conservation Futures Program</p>
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Staff Summary:

10-4C-4: Site Design Review Approval Criteria

P&CD shall make written findings with respect to all of the following criteria when approving, approving with conditions, or denying an application:

A. The proposed land use is permitted by the underlying zoning district (Chapter 2);

- **Yes, stand alone multi-family dwellings without mixed use is a Limited Use in the M-2 Zone with additional development requirements. The mixed use requirement for the M-2 zone within the Liberty Lake Corporate Park has been met through horizontal mixed use (existing commercial) on multiple parcels within the Liberty Lake Corporate Park area (M-2 Zone).**

B. The application complies with the all of the applicable provisions of the underlying Zoning District (Chapter 2), including: building and yard setbacks, lot area and dimensions, residential density, lot coverage, building height, building orientation, architecture, and other special standards as may be required for certain land uses and design or other development standards are met (Chapters 3);

- Yes, see staff analysis above.